



4:04 pm, 12/11/19

Tim J. Ellis
Clerk of Court

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF WYOMING

In re:

US REALM POWDER RIVER, LLC f/k/a
Moriah Powder River, LLC

Debtor

Case No. 19-20699
Chapter 11

INTERIM ORDER AUTHORIZING USE OF CASH COLLATERAL

THIS MATTER came before the Court on November 26, 2019, upon the *Motion for Interim and Final Orders Authorizing Use of Cash Collateral* (the “Motion”) filed by the Debtor, US Realm Powder River, LLC, f/k/a Moriah Powder River, LLC (the “Debtor”). Debtor seeks interim approval for:

I. The Debtor to use cash collateral (as such term is defined in the Bankruptcy Code) in which Powder River VPP, LLC (“Lender”) has an interest and the granting of adequate protection to Lender with respect to such use of its cash collateral and all use and diminution in value of the Pre-Petition Collateral (as defined below); and,

II. The granting of certain super-priority claims to Lender payable from proceeds of pre-petition and post-petition property of the Debtor's estate.

Upon review of the record, the court finds no objections were filed and enters the following:

NOW THEREFORE, after examining record, the court determined that a hearing would not materially assist in the determination of this matter. No objections were filed; therefore the court considers the matter without hearing.

The court finds (a) it has jurisdiction over this matter; (b) due notice of the Motion has been provided under the circumstances; (c) the relief requested in the Motion is in the best interests of the Debtor and its estate and creditors; (d) the Debtor and the Lender have agreed upon a proposed order (the “Stipulated Cash Collateral Order”) attached to the Motion to Use Cash Collateral (Doc. No. 34), and, (e) there is good cause to grant the Motion on an interim basis. Accordingly, after due deliberation and sufficient cause

appearing therefor, it is therefore:

ORDERED that the Motion is GRANTED and the Stipulated Cash Collateral Order is APPROVED on an interim basis effective as of the Petition Date; and it is further

ORDERED that the Debtor may use Cash Collateral as defined in the Motion in accordance with, and subject to, the terms and provisions of the Stipulated Cash Collateral Order; and it is further

ORDERED that notwithstanding the entry of this Order, nothing contained herein shall be construed to mean that any lien or security interest of Secured Lender is valid, perfected and/or enforceable in all respects; and it is further

ORDERED that a hearing to consider final approval of the Motion and the entry of the Stipulated Cash Collateral Order will commence on **January 14, 2020, at 9:00 a.m.** before the Court in the Bankruptcy Courtroom, 2120 Capitol Avenue, 8th Floor, Cheyenne, Wyoming. Any party requesting participation by video conferencing from a location other than Cheyenne, Wyoming shall refer to Local Bankruptcy Rule 9074-2; and it is further

ORDERED that any objections to the Motion and the entry of the Stipulated Cash Collateral Order shall be filed on or before **January 7, 2020**, and replies to such objections shall be filed on or before **January 10, 2020**; and it is further

ORDERED on or before **January 10, 2020**, any party intending to introduce exhibits or call witnesses at the hearing shall file a schedule of proposed exhibits and anticipated witnesses and shall serve the schedule and copies of the proposed exhibits on all parties. The schedule and **three** copies of the proposed exhibits shall also be provided to the Judge's chambers by that date. If the documents consist of ten or fewer pages, the schedule and copies of the exhibits may be faxed to the Clerk's Office at 307-433-2214. If the list and proposed exhibits consist of more than ten pages, the documents must be provided directly to U.S. Bankruptcy Clerk's Office, 2120 Capitol Avenue, Suite 6004, Cheyenne, Wyoming 82001; and it is further

ORDERED that Debtor shall serve this Order on the Debtor's Limited Service List within two business days of its entry on the docket and file a certificate of service showing proof of service; it is further

ORDERED the court may enter a final order approving the Motion if no objections are filed and vacate the hearing; and it is finally

ORDERED that this Court retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

BY THE COURT



12/11/2019

Honorable Cathleen D. Parker
United States Bankruptcy Court
District of Wyoming